

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JEFFREY CORLEY,

Petitioner,

23 CIVIL 0479 (LJL)

-against-

JUDGMENT

CHRIS COLLINS,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated October 2, 2023, Respondent's motion to dismiss without prejudice, Dkt. No. 18 is GRANTED, and the Petition for habeas corpus relief is DISMISSED without prejudice to Petitioner filing a new petition after he has exhausted his state-court remedies. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this opinion and order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

DATED: New York, New York
October 03, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

Negam Duld
Deputy Clerk